

**RESOLUTION OF THE PLANNING BOARD CONTAINING ITS REPORT
ON THE SPECIAL USE PERMIT APPLICATION
FOR A SENIOR HOUSING DEVELOPMENT**

Vesely Estates at Stephen's Woods

WHEREAS, an application was made to the Town Board of the Town of New Windsor for a special use permit by Vesely Estates at Stephen's Woods, LLC (the "applicant") for a project described as the "Vesely Estates at Stephen's Woods Senior Housing" development;

WHEREAS, the subject site consists of 25.73 acres of land and comprised of one tax map parcel in the Town of New Windsor identified on the tax map as section 32, block 2, and lot 15 (SBL 32-2-15) located on Moores Hill Road;

WHEREAS, the action involves a request for a special use permit and site plan approval for 10 single family homes, 64 two-story townhouses and 72 apartments to be restricted as senior housing, and related site improvements;

WHEREAS, the applicant has yet to apply to the Planning Board for site plan approval;

WHEREAS, the proposed development is subject to the Town of New Windsor Zoning Code § 300-18(J) setting forth the procedures applicable for senior citizen housing special use permits;

WHEREAS, the applicant has submitted a fully executed Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA");

WHEREAS, New York General Municipal Law § 239 requires the referral of both the special use permit and site plan applications to the Orange County Planning Department ("OCPD") for its review and comment;

WHEREAS, the Town Board referred the application to the Planning Board for its consideration and report pursuant to Zoning Law § 300-18(J)(3); and

WHEREAS, the Planning Board wishes to act on the Town Board's request for a report, and to take certain procedural steps in connection with the special use permit application;

*No P.B. # yet.
11/30/07: cc: M. Blythe (Town Board)
ORIGINAL - Town Clerk
D.C.
M.E.*

NOW, THEREFORE, the Planning Board resolves as follows:

1. The Planning Board finds that the proposed location is appropriate for a senior citizen housing development, given its location to nearby businesses, and further that there is a need for housing for senior citizens in the Town of New Windsor; and

2. However in reviewing the proposed concept plan for this project, the Planning Board specifically commented that there are several site specific and design related concerns that must be addressed during the site plan review including but not limited to, (1) the proposed density of the project, (2) the sizing and adequacy of the clubhouse, and (3) the areas of development shown in close proximity to the on-site wetlands. Accordingly, the Planning Board's recommendation to the Town Board is conditioned on the Planning Board's review and approval of a revised site plan that addresses the Planning Board's concerns; and

3. The Planning Board directs that this resolution shall serve as the Planning Board's report under Zoning Law § 300-18(J)(3), and that a copy of this resolution be provided to the Town Board; and

4. Both the special use permit application and site plan application approvals are actions subject to SEQRA. Given that the Planning Board must review the site plan application which will contain the specific engineering and design details regarding the project, the Planning Board intends to declare its intent to serve as lead agency for SEQRA purposes; and

5. Given that both the special use permit application and site plan application approvals are actions subject to SEQRA, the Planning Board recommends that the Town Board defer further action on the special use permit application until after the requirements of SEQRA are completed.

Upon motion made by Member Schlesinger, seconded by Member Gallagher, the foregoing resolution was adopted as follows:

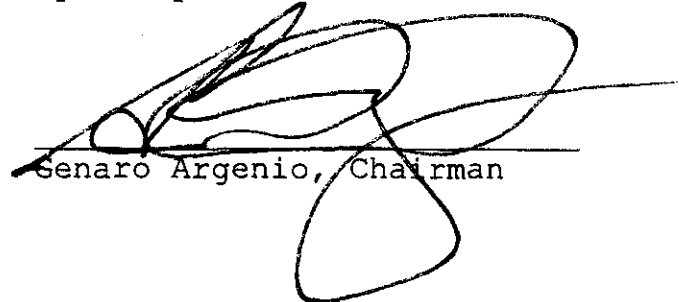
Member, Daniel Gallagher	<u>Aye</u>	Nay	Abstain	Absent
Member, Howard Brown	Aye	Nay	Abstain	<u>Absent</u>
Member, Neil Schlesinger	<u>Aye</u>	Nay	Abstain	Absent

Member, Henry Vanleeuwen Aye Nay Abstain Absent

Chairman, Genaro Argenio Aye Nay Abstain Absent

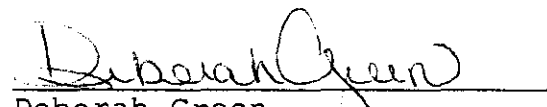
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Alternate, Henry Schieble Aye Nay Abstain Absent


Genaro Argenio, Chairman

Dated: November __, 2007
 New Windsor, New York

Filed in the Office of the Town Clerk on this 30th day
of November, 2007.


Deborah Green
Town Clerk

VESLEY_ESTATES_(STEVEN'S_WOODS)_-_RECOMMENDATION_TO_

TOWN_BOARD_-SENIOR_HOUSING

Mr. Alfred Fusco, Jr., P.E. of Fusco Engineering & Land Surveying, P.C. appeared before the board for this proposal.

MR. ARGENIO: Vesley Estates, Steven's Woods. Discussion. You were given a set of plans, my plans for Vesley Estates are on the dashboard of my truck which is out in the parking lot.

MR. FUSCO: We have extra sets.

MR. ARGENIO: Look at you, aren't you so clever.

MR. CORDISCO: Didn't get a set cause there wasn't enough copies.

MR. ARGENIO: Don't worry about it. Do you guys have Mark's comments on this?

MR. EDSALL: I did not prepare comments for this.

MR. ARGENIO: No problem. Tell you what, sir, what's your name?

MR. FUSCO: My name is Alfred Fusco with Fusco Engineering.

MR. ARGENIO: Mr. Fusco, tonight you're not here to do a presentation for us.

MR. FUSCO: We're here to answer any questions.

MR. ARGENIO: I appreciate you putting the illustrations up on the easel. I've looked at it, I've studied it, we're here to briefly discuss it amongst ourselves. We're going to make a recommendation to the Town Board and I'm going to lead the discussion because

I've looked at it extensively and I'm going to tell you that this project is shoehorned into this piece of property in my estimation and in my opinion, it's too tight, it's shoehorned in there, it's squeezed between two wetlands, wetlands migrate and you have it jammed in there. Now, I see on this drawing that the fire lanes, oh, it is still shown in the buffer, your fire lanes are in the buffer, you have an issue there, you have a litany of issues, Mr. Fusco, but again there's two other members here that are going to look at this. But my commentary to them is that I think that this thing is squeezed in there. I think it's too dense. I think that that little green area down at the bottom is too close to the road. I think that your fire lane can't go in the buffer zone, that's further evidence that you have shoehorned this thing. That's not a criticism to you, please keep that in mind, I think that that fire lane being where it is is further evidence that this thing is squeezed into this piece of property. I further think that it's probably not a bad location for a senior project but you have a lot going on, Mr. Fusco, I mean, that's it, there's a lot going on there, lot going on there. Danny and Neil, certainly hear from you.

MR. SCHLESINGER: I had a couple questions. Are you going to have, are you planning on having your plan submitting 72 apartments that will be rental apartments?

MR. FUSCO: They're flats, they would be sold as condominiums.

MR. SCHLESINGER: So those are not apartments, those are condos?

MR. FUSCO: Right, they'll be flats.

MR. SCHLESINGER: All of them, the one family homes are condo units also?

MR. FUSCO: That's correct.

MR. SCHLESINGER: And the townhouses are condos?

MR. FUSCO: That's correct.

MR. SCHLESINGER: No rentals?

MR. FUSCO: That's correct.

MR. SCHLESINGER: The other question I had is we had an applicant before us today for a senior citizen home and that my personal feeling is that's within arm's reach of a bank, a post office, grocery shopping, whereas yours is not. However, you're in, your plan, you're providing some sort of, I don't know what you want to call it, a store or convenience center or something like that. Who is going to run that unit?

MR. FUSCO: That would be a private vendor, it would be selected and approved by the homeowners' association.

MR. SCHLESINGER: I think it's a good idea business wise and if I'm overstepping my boundaries you can tell me that but I don't know how profitable something like that would be. And my concern is that you're offering an amenity to these people which is a great idea but I just don't know, I don't want to see it turn over and the amenity go away. Just a business thought.

MR. ARGENIO: Danny?

MR. GALLAGHER: The two story clubhouse, does that require an elevator?

MR. FUSCO: It would need access, that's correct, yes.

MR. GALLAGHER: I don't know if it's early on the plan I don't see anything about dumpsters or the trash

removal for the site.

MR. FUSCO: We'll continue to develop the plan.

MR. ARGENIO: That's details and this is not here for review, it's here for us to make a recommendation to the Town Board, that's more a review thing and if it does move forward and the Town Board does give them the nod we'll certainly review that at some point in time.

MR. BABCOCK: Mr. Chairman, this is something new that's coming along with these, I've seen a couple of the projects that are new that's come along with the detached single-family houses within the projects. Typically in the Town of New Windsor and I'm not sure how we're going to handle this for a single family detached dwelling it's not 7,000 square foot, it's either 43,000 which is one acre or 80,000 square feet so I'm not sure how they're doing their square footage as far as zoning and I don't know that we've given them any direction of what we want.

MR. ARGENIO: Mark, the senior code doesn't speak?

MR. EDSALL: Senior code lets them have a mix of stand-alone singles, duplexes but again it's up to the Town Board to decide if they think the balance is inappropriate. As an example if somebody came in and called it a senior project and built 90% single family and 10% multi-family the Town Board would likely throw them out on their ear. So the balance really is up to the Town Board but it does allow that mix as part of a site plan and it can't be, it's not like you take the lot of the house and sell it out separately, it's still part of a site plan.

MR. ARGENIO: I understand. I'm going to make a statement and if my contemporaries disagree just let me finish and then disagree. I don't think we, don't think that's a bad location, we're going to make a

favorable recommendation to the Town Board on this location, however, with the caveats that we discussed here that the unit count is very high, that it's squeezed in there and there's details that need to be taken care of here and one of which specifically is going to be the sizing of that clubhouse. And again I don't want to be too technical here because there's a time and place for everything and this is not the time or the place for that, but yet I think this is okay but you have issues here, number one, it's too dense, it's squeezed in there and that's not what we're looking for in the Town of New Windsor but the location is not a bad location. Guys okay with that?

MR. GALLAGHER: I agree.

MR. ARGENIO: Thank you, Mr. Fusco for coming in.

MR. FUSCO: Thank you very much. I appreciate your comments.

MR. ARGENIO: Good luck to you.

MR. CORDISCO: Is the board going to take formal action in terms of authorizing that report tonight?

MR. ARGENIO: What do we need to do exactly, Dominic?

MR. CORDISCO: Well, what we have done in the past we have prepared a formal resolution containing essentially the board's report and that gets forwarded.

MR. ARGENIO: Okay, so do we need to vote to include my diatribe in the recommendation or how do we do that?

MR. CORDISCO: Well, we could or you could do that, I think you need a formal vote of the board to authorize you to sign the resolution that then gets sent on to the Town Board.

MR. ARGENIO: I'll accept a motion authorizing me to sign a resolution that contains that couple of paragraphs that I just enunciated that I think describes our feelings on this project. Is that sufficient, Dominic?

MR. CORDISCO: Yes, that's fine, as long as Franny provides it to me.

MR. ARGENIO: I'm quite sure she's fairly competent and I'm sure she'll be glad to do that.

MR. EDSALL: Fairly?

MR. ARGENIO: Thank you Mark for pointing that out. Motion has been made and seconded that the Town of New Windsor Planning Board vote in favor of allowing the chairman to sign the resolution. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Is that sufficient for you?

MR. CORDISCO: That's fine.

MR. ARGENIO: Okay, counselor.

MR. CORDISCO: Thank you very much. I know Mark has a couple of things that he wants to get into.